

**Kentucky Board of Home Inspectors
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405**

**Ray Sandbek, Chairman
Ralph J. Wirth, Vice Chairman**

**Board Meeting
November 29, 2005
10:00 am**

Minutes

Board Members Attending:

Ray Sandbek, Chairman	Jo Gawthrop
Ralph Wirth, Vice Chairman	David Michael Green
William D. Bramble	Linda Swearingen
Floyd Van Cook	William J. Welty Sr.
James Forest Cooper (New Member)	

Staff Attending:

Terry M. Slade, Director BCE
David Reichert, General Counsel

Meeting Called to Order

Mr. Sandbek introduced new board member James F. Cooper. Rose Baker, Staff Assistant swore in new member Mr. James F. Cooper. Members discussed the testing vendors that will be coming to the December 13th meeting and their presentation for that meeting. Board meeting will begin at 9:00 am on December 13, 2005. Detailed discussion on the Home Inspector test.

Minutes

Previous minutes discussed. Correct spelling of Senator Tapp. Mr. Wirth made motion to accept minutes with correction. Mr. Bramble seconded motion. Motion carried, all concurred.

Old Business

Mr. Sandbek turned the meeting over to Mr. Green to discuss his research of the 64 hour field training with Indiana and Illinois. He came up with an alternate to the field training requirement. Mr. Wirth stated that he had spoke with Senator Tapp. The Senator will not accept any changes that will make our requirements different from the surrounding states. Mr. Green's alternate plan to use the 64 hours training requirement is by joining the classroom training and the field training much like the Indiana requirement. His proposal: 40 hour minimum classroom training core curriculum; 7 hour curriculum with Manufactured Housing the remaining hours to be done in a Lab type setting and at the end in order for the applicant to pass course they must go out and perform three home inspections without pay, complete report and take back to instructor for them to review. Detailed discussion about Mr. Green's training proposal. Mr. Bramble asked when the board approves the Testing Providers, will their training be retroactive? Mr. Green stated that it should. Mr. Sandbek discussed the monies that the applicant will have to pay to the educators. He gave another proposal for the 64 hour training requirement: 6 hours Manufactured Housing training; 40 hours classroom training; 18 hours lab and field training. Mr. James Cooper made motion to change the break down of the Core Curriculum hours. Mr. Bramble seconded motion. Discussed the break down of the Core Curriculum hours: Structure 9 hours; Foundation – Exterior & Interior 9 hours; Framing 4 hours; Roofing; Ventilation & Insulation; Mechanical-Plumbing, Electrical, HVAC 6 hours minimum for each; Foundation-Manufactured Housing 6 hours; Code of Ethics, Standards of Practice, License Law and Regulations, Contracts and or Report writing could be 12 hours; Lab/Field Training 10 hours. Mr. Wirth made motion that the Board adopt the 64 hour training with the 48 Core Curriculum hours and 16 lab hours and that the other motions made in the past be null and void. Ms. Gawthrop seconded motion. Motion carried, all concurred. Mr. Wirth stated he wanted the board to discuss the 3 non-fee inspections that applicant turns back into the instructor as part of their grading as part of the school's test. Detailed discussion about the board requiring the applicant, when sending in the applications send the test results and also the 3 inspection reports. Mr. Wirth made a motion for the steps in the application process when it comes to the education the applicant will attend an approved school with a minimum of 64 hours of education outline; pass the school's test; 3 acceptable non-fee home inspections; turn in the non-fee home inspections to the school's instructor with a pass or fail grade; board has the right to request copy of the non fee home inspections should it be required; applicant shall take the national exam; submit application. Mr. Bramble seconded motion. Motion carried, all concurred. More detailed discussion on the Education Providers and their course training. Mr. Cooper made a motion that the educators provide the 6 hour Manufactured Housing by itself, 12 hour Code of Ethics, Standards of Practice, License Law and Regulations, Contracts and or Report writing be individual courses for the applicants. Mr. Bramble seconded motion. Motion carried, all concurred. Discussion on board members teaching classes, if this is will be a conflict of interest. Mr. Cook suggested that the board take this issue to the Ethics Commission.

Break for Lunch

New Business

Board went over a version of the Kentucky Standards of Conduct that Mr. Wirth had sent out by email. Mr. Wirth based this on Indiana and Illinois, ACHI and NAHI and got an overall consensus Code of Ethics. Detailed discussion over the proposed Kentucky Standards of Conduct. The word “article” will be changed to “regulation”. Board discussed #1 thru 6 and accepted. Changes to The licensed home inspector shall not: #7 of the KY Standards of Conduct referencing (While providing professional services, or in their employment practices, discriminate against any person on the basis of age, race, color, religion, sex, handicap family status, national origin or any other status protected by law.) will be removed because the State Law already regulates this. Board discussed #8 thru 10 and accepted. #11 referencing (Fail to disclose to client information about any business interest of the licensee that may affect the client in connection with any work for which the licensee is responsible.) will be removed because #8 already references this. #13 will be changed to state: Convicted of a crime during the performance of a home inspection or committing any act constituting a violation of Kentucky State Law during the course of a home inspection. #15 referencing (Make a false or misleading representation: a) In a license or renewal application form or b) In information provided to the board.) will be removed because this is the same statement in #1. #18 referencing (Communicate to the public false or misleading information about the type of license held by the licensee.) will be under #12c. #21 referencing (Be convicted of a crime that has direct bearing on the licensed home inspector’s ability to continue to practice competently.) will be removed because #13 already references this and this is ask on the application and renewal. #22 referencing (Knowingly violate a state statute or rule of federal statute or regulation regulating the profession for which the license home inspector is licensed.) will be removed. #23 referencing (Use the word “Certified” in advertising unless the certification number and the certification body id clearly identified.) The word “Certified” if you are going to use in any form of advertisement your certification number and certification body has to be spelled out no acronyms are to be used. Discussion on Workers’ Compensation and whether it should be included under “Fully Insured”. #24 referencing (Use the word “Fully Insured” and or “Insured” unless the person or entity has business liability and error and omission insurance coverage in effect at time of advertisement) the word “Insured” will be removed. #25 add: e.) failure to maintain a valid home inspector license. Add under #12 d.) Experience: accurate representation of home inspection experience. Add #26. Use code certification in advertisement as presentation of home inspection experience. Detailed discussion on home inspector and advertisement. Under The licensed home inspector shall: Change #1. Discharge the inspector’s duties with integrity and fidelity to the client. Board agrees with #2. Only Express an opinion on any aspect of an inspected property when it is based on the experience, training, education and professional opinion of the inspector. Change wording in #3 “The licensee shall report violations of the Standards of Conduct”. Add #5. Any time a licensed home inspector signs any document pertaining to a home inspection, the license number must follow the signature. On all advertising, license number shall be displayed. on vehicles, license number shall be displayed 3 inches high on the vehicle.

More detailed discussion on “The licensed home inspector shall not:” #2. Design or perform repairs or modifications to a residential building on which he has performed a home inspection as a result of the findings of the home inspection within 12 months after the date he performed the home inspection, except in cases where the home inspector purchased the residence after he performed the inspection. Mr. Wirth expressed that he does not agree with this statement, thinks it should be removed. Mr. Wirth made a motion to make a decision to keep as written or remove #2. 4 members voted to keep this statement. 3 members opposed to remove this statement. #2 will be kept as written. #5. Provide any compensation, inducement, or reward directly or indirectly, to any person or entity other than a client, for the referral of business to the inspector. (The purchase and/or use of advertising or marketing services or products are not considered compensation, inducement, or reward.) was discussed. This proposed Kentucky Standards of Conduct is not approved by the board as yet.

Agenda for next meeting

Meeting will start at 9:00 am. ICC, NACHI, NAHI and ACHI will give presentations for the testing of the Home Inspectors.

Adjournment

Meeting adjourned at 4:00 pm. Next meeting is scheduled for December 13, 2005, 2005 at 9:00 am in the Big Conference Room at the Office of Housing, Buildings & Construction, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405. Mr. Wirth made a motion to adjourn the meeting. Mr. Sandbek seconded motion. Motion carried, all concurred.